

INTRODUCTION OF THE HOME HEALTH CARE PROTECTION ACT OF 2000

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. MARKEY. Mr. Speaker, this week I introduced the Home Health Care Protection Act of 2000, H.R. 5303, the companion bill to the Senate version introduced by Senator JEFFORDS. This bill will clarify the definition of "homebound" and improve the lives of millions of Americans who are confined to the home as well as their caregivers.

In my own family, my mother who was afflicted with Alzheimer's Disease was confined to the home for over eight years. My father was her caregiver. I was awed by his utter devotion and dedication to her care, day in and day out. Taking care of an Alzheimer's patient is grueling. It's a 24 hour a day job, 7 days a week. For many caregivers the only break in attending to the needs of the Alzheimer's patient is through adult day care services. Adult day care not only provides therapy for the Alzheimer's patient but a desperately needed break for the caregiver.

But, Mr. Speaker, the unfortunate truth is that Medicare beneficiaries are unable to attend adult day care without losing their home health benefits because of a narrow interpretation of the Medicare law. Alzheimer's patients may not attend adult day care without losing their home health benefits even though we know that adult day care services are a complement to home health benefits, relieve caregiver burdens and delay nursing home placement—all at zero cost to the Medicare program.

However, yesterday in the Commerce Committee we took a step toward correcting this situation—a victory was won for Alzheimer's patients and their caregivers. The BBA give-back package which was passed out of Committee unanimously by voice vote included language clarifying the "homebound" definition in the law allowing for Medicare beneficiaries with Alzheimer's disease who are confined to the home to attend adult day care services without losing their home health benefits.

While we took a step in addressing this important issue with respect to Alzheimer's patient's broader language to encompass ALL beneficiaries who are confined to the home was not included by the Chairman's mark. Furthermore, this language will not allow any beneficiaries who are confined to the home to attend religious services, or to take a slow, arduous walk around the block, or to attend once in a lifetime events like a granddaughter's graduation, or a grandson's wedding.

Mr. Speaker, this isn't right.

However, H.R. 5303, The Home Health Care Protection Act of 2000, is designed to correct this flaw. H.R. 5303, is the companion bill to the Senate version introduced by Senator JEFFORDS. It further clarifies the "homebound" definition to allow for those who have had the misfortune of an illness which confines them to the home, to attend a graduation, to go to their place of worship and to attend adult day care services.

It's time we clarify the definition of "homebound" in the Medicare law. Homebound beneficiaries should be free to leave the home under special circumstances without fear of losing their home health benefits. It's only right, Mr. Speaker. Americans who are confined to their homes deserve better. We can and should do more for them. Making the Home Health Care Protection Act of 2000 the law of the land will do just that.

COLLEAGUES PRAISE CHAIRMAN SHUSTER'S LEADERSHIP AT TRANSPORTATION COMMITTEE HELM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. DUNCAN. Mr. Speaker, I rise today to pay tribute to one of the greatest committee chairmen we have seen during the past few years in the House. He has served in the House of Representatives for 28 years, 6 of those as Chairman of the Transportation and Infrastructure Committee, the largest and most productive committee in the Congress.

Following the committee's final full committee meeting Wednesday of this week, my colleagues and I surprised Chairman SHUSTER with the presentation of a plaque to him commemorating his achievements as Chairman.

During that presentation and speaking on behalf of Committee Democrats, Ranking Member JIM OBERSTAR (D-MN) said:

Mr. Chairman, a few short moments ago we passed a bill designating a courthouse for President Theodore Roosevelt.

I quote Roosevelt's "The Man in the Arena" speech:

"It is not the critic who counts, not the man who points out how other strong men stumbled or how the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes up short again, and again, because there is no effort without some error or shortcoming, but who knows the great enthusiasm, the great devotion, who, spends himself for a worthy cause; who at best, knows in the end the triumph of the high achievement, and who, at the worst, if he fails, at least he fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Mr. Chairman, you are a man in the arena—and your achievements as Chairman speak for themselves. Everyone in this room knows the enormous accomplishments of TEA 21, AIR 21, and trust fund firewalls. Some may not know the "smaller" accomplishments that do not get the headlines—such as reauthorization of the Economic Development Administration and the Appalachian Regional Commission—"little" programs that make a real difference in the lives of our people. We all serve on this Committee because we believe that its transportation, infrastructure, and environmental programs make a real difference in our constituents', and all American's lives.

Mr. Chairman, part of the joy of serving on this Committee is the way in which we work together to develop bipartisan bills. In this Congress, the Committee has: Held 114 hear-

ings; reported 98 bills, 30 percent of bills reported by all Committees in the House (325); passed 92 bills, 22 percent of all bills passed by the House (427); and 30 Transportation Committee bills have become law, 11 percent of all public laws enacted in the 106th Congress (269).

And that is the record only so far—I can say with confidence that many more Transportation Committee bills will become law before the 106th Congress adjourns.

Mr. Chairman, we, as a Committee, have worked extraordinarily well over the last 6 years under your leadership. We do not know what the elections hold this November and I am not here to predict. However, under current House Rules, you will be unable to chair the Committee in the 107th Congress. I did not want this opportunity to pass without recognizing your effective bipartisan leadership of this Committee.

On behalf of our Committee's Democrats and particularly myself, I present you with a plaque to commemorate your chairmanship. For the 104th and 105th Congresses, it lists the number of hearings held, Committee bills passed by the House of Representatives, and bills that have become law. It has a spot for the 106th Congress; we will fill that in when we have completed our work.

It also has a gavel—a gavel that you have wielded so well for these 6 years. Congratulations, Mr. Chairman.

In addition to Mr. OBERSTAR, Mr. THOMAS PETRI (R-WI), Chairman of the Ground Transportation Subcommittee, said, "Chairman SHUSTER's historic leadership deservedly has been recognized by the prestigious Congressional Quarterly which named him one of the five top 'Legislative Drivers' in the Congress, (the other four being U.S. Senators), and the National Journal recently reported that 'SHUSTER has chalked up a remarkable record. Not surprisingly, his colleagues regard him as one of the last great chairmen on Capitol Hill.' We all salute Chairman SHUSTER for his extraordinary accomplishments. This has been the 6 most productive years in the Committee's history."

I have said many times that if a young Member of Congress wanted to see how to get things accomplished in the Congress, he should follow Chairman BUD SHUSTER for awhile.

Chairman SHUSTER is respected by everyone, on both sides of the aisle, and staff as well as Members.

Chairman SHUSTER has spent his career building America. The fruits of his work can be seen all over this Nation, and improvements that he started will be going on for many years.

Our economy is much stronger, and, more importantly, lives are being saved because of projects which owe their genesis in major part to BUD SHUSTER.

I personally appreciate the kindness shown to me by Chairman SHUSTER. I could not have been the Chairman of the Aviation Subcommittee, the highlight of my service in the Congress, if it had not been for BUD SHUSTER.

I owe him a great personal debt, but I believe our country does as well. I believe that this Nation is a much better place today because of Chairman BUD SHUSTER, and I am very proud to call him my friend and my leader.